

**PLANNING COMMISSION AGENDA  
SPECIAL MEETING  
TUESDAY, SEPTEMBER 2, 2014**

**STUDY SESSION: 4:45 P.M. – CITY COUNCIL CHAMBERS**

**MEETING: 5:00 P.M. - CITY COUNCIL CHAMBERS**

1. Meeting Called to Order.
2. Roll Call.
3. Public comment period. The general public is invited to address the Planning Commission regarding any item on this agenda. The overall and individual speaking time allotments may be limited by the Chair.
4. Consider request of Deer Pointe Corporation to rezone parts of Tax Lots 1 & 3, located in the SW 1/4 of the SW 1/4 of Section 18, Township 17 North, Range 9 East, of the 6<sup>th</sup> P.M., Dodge County Nebraska from AG to R-1.
5. Consider request of Deer Pointe Corporation to final plat Brooks Hollow Addition, part of the SW 1/4 of the SW 1/4 of Section 18, Township 17 North, Range 9 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska, made up of Lots 1 through 5, Block 1, Lots 1 through 7 Block 2, Lots 11 through 22 Block 3 and Lots 9 & 26 Block 4, totaling 26 lots.

**THIS MEETING WAS PRECEDED BY PUBLICIZED NOTICE IN THE FREMONT TRIBUNE AND THE AGENDA DISPLAYED IN THE LOBBY OF THE MUNICIPAL BUILDING AND POSTED ONLINE AT [WWW.FREMONTNE.GOV](http://WWW.FREMONTNE.GOV); AND DISTRIBUTED TO THE PLANNING COMMISSION, MAYOR AND CITY COUNCIL ON AUGUST 27, 2014 AND IS OPEN TO THE PUBLIC. A COPY OF THE AGENDA WAS KEPT CONTINUALLY CURRENT AND AVAILABLE TO THE PUBLIC AT THE OFFICE OF THE CITY PLANNER, 400 EAST MILITARY. A COPY OF THE OPEN MEETING LAW IS POSTED CONTINUALLY FOR PUBLIC INSPECTION LOCATED NEAR THE ENTRANCE DOOR BY THE AGENDAS. THE PLANNING COMMISSION RESERVES THE RIGHT TO ADJUST THE ORDER OF ITEMS ON THIS AGENDA.**

## STAFF REPORT

**TO:** Planning Commission

**FROM:** Justin Zetterman, Interim Planning Director

**DATE:** August 14, 2014

**SUBJECT:** Request to re-zone parts of Tax Lots 1 & 3, located in the SW1/4 of the SW1/4 of Section 18, Township 17 North, Range 9 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska from AG to R-1.

**Recommendation:** Move to approve the rezoning of parts of Tax Lots 1 & 3, Section 18, Township 17 North, Range 9 East.

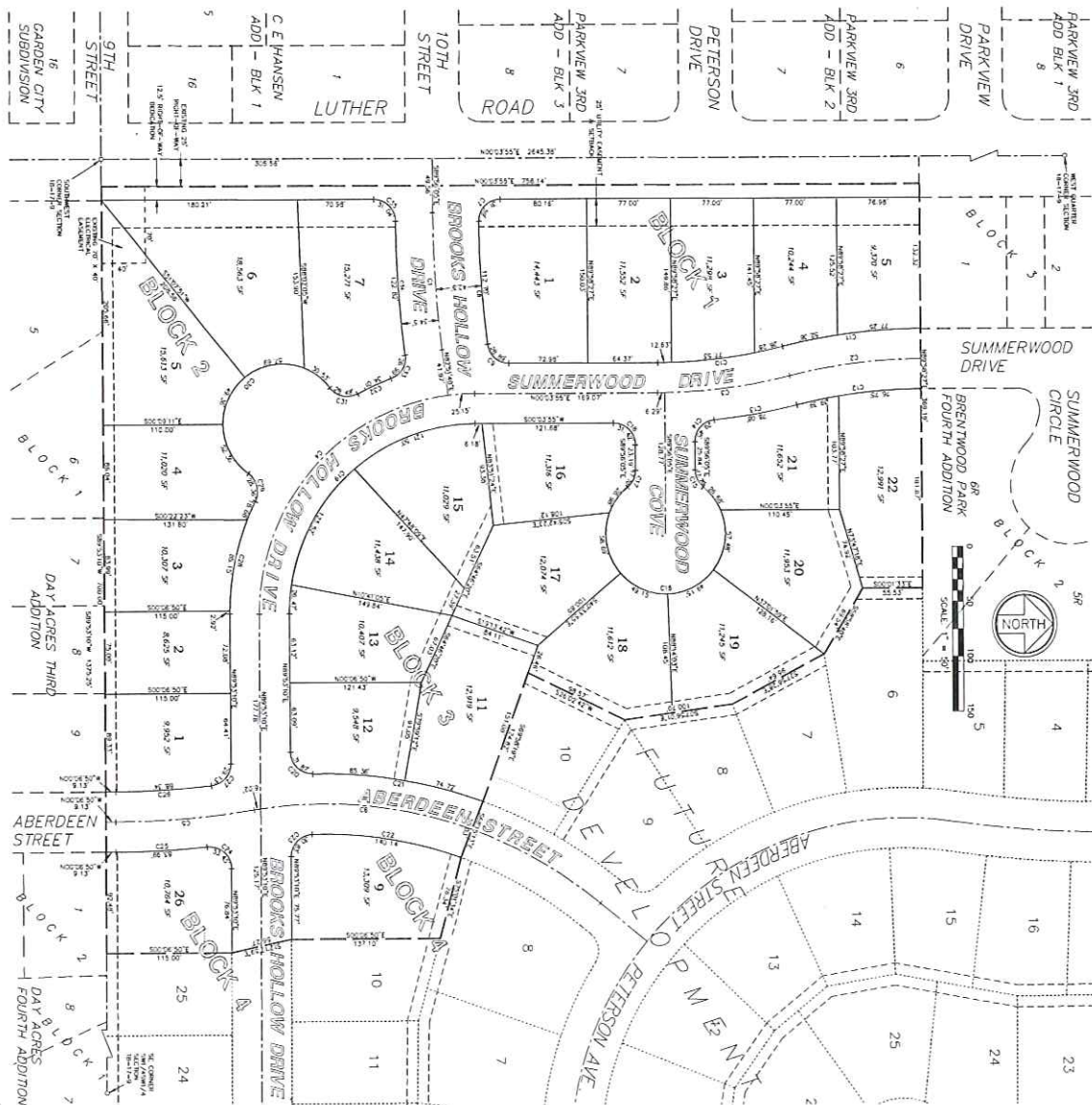
**Background:** This proposed rezoning will rezone the property described below from AG Agriculture/Urban Reserve to R-1 Single-Family Residential. The property is surrounded by R-1 Single-Family Residential on all four sides. The property to be rezoned is more particularly described as:

A PARCEL OF LAND LOCATED IN THE SW1/4 OF THE SW1/4 OF SECTION 18, TOWNSHIP 17 NORTH, RANGE 9 EAST OF THE 6<sup>TH</sup> P.M., DODGE COUNTY NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMENCING AT THE SOUTHWEST CORNER OF SAID SW ¼ OF THE SW ¼; THENCE N89°53'10"E (ASSMED BEARING) ALONG THE SOUTH LINE OF SAID SW ¼ OF THE SW ¼ A DISTANCE OF 25.00 FEET TO THE EAST LINE OF LUTHER ROAD AND THE POINT OF BEGINNING; THENCE N00°03'55"E ALONG THE EAST LINE OF LUTHER ROAD A DISTANCE OF 756.14 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF BRENTWOOD PARK FOURTH ADDITION; THENCE N89°58'27"E ALONG THE SOUTH LINE OF BRENTWOOD PARK FOURTH ADDITION AND THE WESTERLY EXTENSION THEREOF A DISTANCE OF 369.19 FEET; THENCE S00°01'33"E A DISTANCE OF 55.53 FEET; THENCE S58°58'49"E A DISTANCE OF 69.54 FEET; THENCE S27°56'28"E A DISTANCE OF 96.64 FEET; THENCE S07°56'01"E A DISTANCE OF 100.70 FEET; THENCE S26°02'42"W A DISTANCE OF 98.57 FEET; THENCE S69°58'19"E A DISTANCE OF 124.62 FEET; THENCE S68°15'13"E A DISTANCE OF 55.03 FEET; THENCE S75°01'34"E A DISTANCE OF 76.34 FEET; THENCE S00°06'50"E A DISTANCE OF 137.10 FEET; THENCE S12°17'59"E A DISTANCE OF 56.27'; THENCE S00°06'50"E A DISTANCE OF 115.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SW ¼ OF THE SW ¼; THENCE S89°53'10"W ALONG SAID SOUTH LINE A DISTANCE OF 700.00 FEET TO THE POINT OF BEGINNING; CONTAINING 9.69 ACRES, MORE OR LESS.

**Findings:** The proposed rezoning will be contiguous with other R-1 zoning districts and meets the Future Land Use Plan, and is in conformance with the Comprehensive Plan, Blueprint for Tomorrow.



PART OF THE SW 1/4 SW 1/4 OF SECTION 18, TOWNSHIP 17 NORTH  
RANGE 9 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA.



CURRY TABLE

[illegible][illegible]

CEEDMCA INC.

[illegible]

ACKNOWLEDGMENT  
STATE OF ALABAMA )  
COUNTY OF MOBILE )  
SS: )  
ON this \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, I, \_\_\_\_\_, a competent person, who has read, understands, and freely acknowledges the contents of said instrument, voluntarily act and deed.  
WITNESSES MY HAND AND OFFICIAL SEAL, DATE LAST FOREGOING.  
\_\_\_\_\_  
COUNTY MOBILE PUBLIC  
COMMISSIONER

WITNESS MY HAND AND OFFICIAL SEAL DATE LAST ABOVE SAID

GENERAL MOTORS PUBLIC

COMMISSION EXPIRES

#### LEGEND

\_\_\_\_\_ LOT LINE CORNER  
 \_\_\_\_\_ LOT LINE PERGOL  
 \_\_\_\_\_ SETBACK LINE  
 \_\_\_\_\_ EASEMENT LINE OR  
 \_\_\_\_\_ EASEMENT LINE PER  
 \_\_\_\_\_ CENTERLINE  
 \_\_\_\_\_ FUTURE LOT LINE  
 \_\_\_\_\_ CLUMP NUMBER

[illegible]

**Brooks Hollow Addition**  
TO THE CITY OF FREMONT  
DODGE COUNTY, NEBRASKA

## FINAL PLATE

4	9
5	8
6	7

4	5	6	7
5	6	7	8
11	10	9	8

4	5	6	7
5	6	7	8
4	5	6	7

5	6	7	8
6	7	8	9
12	11	10	9

12	11	10	9
11	10	9	8
10	9	8	7
8	7	6	5

5	6	7	8	9
6	7	8	9	10
5	6	7	8	9

4	5	6	7
5	6	7	8
11	10	9	8

13
----

1	2	3	4	5	6	7
13	12	11	10	9	8	7

1	2	3	4	5	6	7
13	12	11	10	9	8	7

1	2	3	4	5	6
13	12	11	10	9	8
13	12	11	10	9	8

1	2	3	4	5	6	7
13	12	11	10	9	8	7
13	12	11	10	9	8	7

8	7	6	5	4	3	2	1
9	10	11	12	13	14	15	16
9	10	11	12	13	14	15	16

3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

10	9	8	7	6	5	4	3	2	1
----	---	---	---	---	---	---	---	---	---

9	8	7	6	5	4	3	2	1
12	11	10	9	8	7	6	5	4
13	12	11	10	9	8	7	6	5
14	13	12	11	10	9	8	7	6
15	14	13	12	11	10	9	8	7

1	2	3	4	5	6	7
2	3	4	5	6	7	8
3	4	5	6	7	8	9
4	5	6	7	8	9	10
5	6	7	8	9	10	11

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

8	7	6	5	4	3	2	1
9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

AG

TL. 1  
17.0A

TL. 3  
17.59A

TL. 38  
31.6A



## STAFF REPORT

**TO:** Planning Commission  
**FROM:** Justin Zetterman, Interim Planning Director  
**DATE:** August 27, 2014

**SUBJECT:** Request to Final Plat Brooks Hollow Addition part of the SW ¼ of the SW ¼ of Section 18, Township 17 North, Range 9 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska, made up of Lots 1 through 5, Block 1, Lots 1 through 7 Block 2, Lots 11 through 22 Block 3 and Lots 9 & 26 Block, totalling 26 lots.

**Recommendation:** Move to approve the Final Plat of parts of Tax Lots 1 & 3, Section 18, Township 17N, Range 9E with conditions and with a recommendation to the City Council to approve the variance for the 4 double fronted lots with insufficient depth.

**Background:** This final plat fills in a portion of east side of Fremont that has seen residential growth on all four sides. The property is zoned AG Agriculture / Urban Reserve and is surrounded by R-1 Single-Family Residential on all four sides. This represents the southeast portion of the approved preliminary plat.

**Findings:** The proposed final plat will be in compliance with the requirements of the R-1 Single-Family Residential zoning and the Future Land Use Plan, and is in conformance with the Comprehensive Plan, Blueprint for Tomorrow.

- The Final Plat meets the requirements laid out in the subdivision regulations except as outlined below in conditions.
- The Final Plat has been reviewed and approved by the City Engineer.
- The Final Plat has been reviewed by the Department of Utilities who have supplied the developer with easements required for their needs.
- The Lot and Street layout meets all city regulations except for Lots 2, 3, 4 and 5, Block 1 that do not meet the required 150' minimum depth for double fronted lots. This condition is the result of tying into the existing neighborhood to the north and not the design of this subdivision. The Planning Commission should include a recommendation to the City Council to approve the lots as platted.

**Conditions:** The following conditions are recommended as a part of this approval

- Proposed covenants will be supplied with the final plat prior to moving on to City Council
- All required easements requested by the Department of Utilities shall be added to the plat prior to moving on to City Council.

TO THE CITY OF FREMONT, NEBRASKA.

[illegible]

UNIT OF _____	_____
CHARLES H. OELERS, PRESIDENT FOR CHARLES H. OELERS, LLC	_____
CHARLES H. OELERS	MARY LOUIE ELLISON

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2014, THE  
 THIRD ADDITION WAS APPROVED AND ACCEPTED BY THE  
 BOARD OF COMMISSIONERS OF THE CITY OF ARIZONA, COUNTY OF MARICOPA.

CITY COUNCIL ACCEPTANCE

ON THIS DAY OF \_\_\_\_\_ A.D. 2014,  
THIS PLAT OF OLDER MONTE TRINO ADDITION WAS APPROVED AND ACCEPTED  
BY THE RESOLUTION OF THE CITY COUNCIL, THE CITY OF FREMONT, SIOUX  
COUNTY, NEBRASKA.

NOTE:  
1. THE FOLLOWING VALUES WERE USED UNLESS OTHERWISE NOTED:  
STREET RIGHT-OF-WAY WIDTH = 55.00'  
FRONT YARD SETBACK = 25'  
STREET SIDE YARD SETBACK = 15'

2. ALL NEW LOT CORNERS, CHANGES IN DIRECTION AND THE BEGINNING AND ENDS OF CURVES ARE MARKED WITH 3/4" X 24" REBAR WITH PLASTIC "LS 503" CAPS.

FOR UNFILED INFORMATION ON FOUND EVIDENCE, SEE RECORD SURVEY BY DODD, L-503 DATED 6/23/2014.

CURVE TABLE					
$\theta$	RAOULS	AND LEN	CH LEN	CH REPAIRS	DATA

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1990	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100

HERVEY CURTIS AS THE UNDERSIGNED REGISTERED AND SURVIVED, THAT I HAVE SURVIVED THE TRACT OF LAND SAID TO BE THE PROPERTY OF SAID CURTIS, AND THAT PERMANENT MARKERS HAVE BEEN FOUND ON WELL BE- LIEVED AS DESCRIBED HEREIN, WITHIN 60 DAYS OF THE FILING OF THIS PLAT AT THE DOUGLASS COUNTY REGISTER DEEDS OFFICE.

Upham, B. (2001). 1.5-2.5.

**Brooks Hollow Addition**  
TO THE CITY OF FREMONT  
DODGE COUNTY, NEBRASKA

## FINAL PLAY